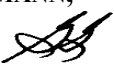





# PLANNING & ZONING COMMISSION

## AGENDA REQUEST

<b>AGENDA OF:</b>	<b>05-08-12</b>	<b>AGENDA REQUEST NO:</b>	<b>III-A</b>
<b>INITIATED BY:</b>	<b>NELDA MCGEE, EXECUTIVE SECRETARY</b>	<b>RESPONSIBLE DEPARTMENT:</b>	<b>CITY SECRETARY</b>
<b>PRESENTED BY:</b>	<b>GLENDA GUNDERMANN, CITY SECRETARY</b>	<b>DIRECTOR:</b>	<b>GLENDA GUNDERMANN, CITY SECRETARY</b> 
		<b>ADDITIONAL APPROVAL (S):</b>	<b>N/A</b>
<b>SUBJECT / PROCEEDING:</b>	<b>MINUTES PLANNING &amp; ZONING COMMISSION MEETING APRIL 26, 2012 APPROVE MINUTES</b>		
<b>EXHIBITS:</b>	<b>MINUTES APRIL 26, 2012</b>		
<b>CLEARANCES</b>		<b>APPROVAL</b>	
<b>LEGAL:</b>	<b>N/A</b>	<b>DIRECTOR OF PLANNING AND ENVIRONMENTAL SERVICES:</b>	<b>DOUGLAS SCHOMBURG</b> 
<b>RECOMMENDED ACTION</b>			
Approve the minutes of the Planning & Zoning Commission meeting April 26, 2012.			

## EXHIBITS

STATE OF TEXAS                   §  
COUNTY OF FORT BEND       §  
CITY OF SUGAR LAND         §

### CITY OF SUGAR LAND SUGAR LAND PLANNING AND ZONING COMMISSION MEETING TUESDAY, APRIL 26, 2012

#### REGULAR MEETING

The City of Sugar Land Planning and Zoning Commission convened in a regular meeting open to the public and pursuant to notice thereof duly given in accordance with Chapter 551, Government Code, Vernon's Texas Codes, Annotated, as amended, in Sugar Land City Hall within said City on Tuesday, April 26, 2012 at 6:30 o'clock P.M. and the roll was called of the members; to wit:

Kathy Huebner, Chairman  
Carl Stephens, Vice Chairman  
Marlena Berger, Commissioner  
Himesh Gandhi, Commissioner  
Nancy Porter, Commissioner  
Gregory Schmidt, Commissioner  
James Shaw, Commissioner  
Paula Stansell, Commissioner  
Joe Zimmerman, Commissioner

#### QUORUM PRESENT

All of said members were present.

Also present were:  
Douglas Schomburg, Director of Planning and Environmental Services  
Kyle Thomas, Assistant City Attorney  
Ruth Lohmer, Principal Planner  
Jessica Duet, Planner II  
Robin Hicks, Administrative Manager and  
A Number of Visitors and Staff

#### CONVENE MEETING

*Chairman Huebner* convened the session, open to the public, to order at 6:30 o'clock P.M.

#### PUBLIC COMMENT

*Chairman Huebner* introduced Public Comment stating that citizens desiring to address the Planning and Zoning Commission with regard to matters on the agenda would be received at this time.

## PUBLIC COMMENT

There were no public comments.

## MINUTES

**Chairman Huebner** introduced consideration on approval of the minutes of the regular City of Sugar Land Planning and Zoning Commission meeting held March 22, 2012 and April 10, 2012. The following changes were requested to the March 22nd minutes:

- Add “trigger” after “secondary” [page 2, last paragraph, last sentence]
- Clarify sentence regarding development standards [page 5, 3rd paragraph, 2nd to last sentence]
- Change “sale” to “sales” [page 7, 1st paragraph under “ETJ Planning South of the Brazos”]
- Change “when” to “if” [page 9, last paragraph, first sentence]
- Add “requirement” after “right-of-way” [page 10, 5th paragraph, last sentence]

Following a full and complete discussion, **Commissioner Shaw**, seconded by **Commissioner Stephens**, made a motion to approve the minutes of the regular City of Sugar Land Planning and Zoning Commission meeting held March 22, 2012, as amended. The motion carried unanimously.

The Commission recommended two minor clerical word changes to the April 10, 2012 minutes

Following a full and complete discussion, **Commissioner Shaw**, seconded by **Commissioner Porter**, made a motion to approve the minutes of the regular City of Sugar Land Planning and Zoning Commission meeting held April 10, 2012 as amended with two minor clerical word changes. The motion carried unanimously.

## PUBLIC HEARING

## CONDITIONAL USE PERMIT MERCEDES-BENZ OF SUGAR LAND DEALERSHIP

**Chairman Huebner** convened the Public Hearing to receive and hear all persons desiring to be heard on request for a Conditional Use Permit on 7.33 acres and 1.5878 acres, U.S. Highway 59 and Town Center Boulevard, being further described as 15625 Southwest Freeway in the General Business (B-2) District to expand the Mercedes-Benz of Sugar Land Dealership.

**Ms. Jessica Duet, Planner II**, stated the request is for expansion and additional use for the Mercedes-Benz of Sugar Land dealership. The existing facility is both a new and used car dealership under SIC 5511; the expanded use will be for a body shop under SIC 7532, to be constructed in two phases.

The existing CUP, adopted in June 2002 under SIC 5511, approved a two phase construction. Mercedes-Benz opted to do a total build-out of the site, consisting of 7.33 acres with showroom, auto-servicing center, prep shop, and parking. The site plan delineated, as a condition, that certain cars would be parked in certain places.

**PUBLIC HEARING (CONTINUED)**

**CONDITIONAL USE PERMIT MERCEDES-BENZ OF SUGAR LAND DEALERSHIP  
(CONTINUED)**

Eight conditions were identified in the approved CUP ordinance:

1. Display pads are not to exceed 24" in height
2. Junked vehicles (as defined by City ordinance) cannot be parked in view of a public street
3. Outside voice paging or sound systems are prohibited
4. Outdoor parking lot lighting must be high-pressure sodium lights, not to exceed 12-foot candle power on average
5. Signs related to vehicle sales are not allowed on inventory visible from a public street (except dealer/manufacturer invoice)
6. Pre-owned inventory is limited to parking spaces designated on site plan
7. Service area must be screened by masonry wall or landscaping
8. Loading/unloading of vehicles takes place on the site

The proposed Phase 1 expansion consists of a surface parking lot on the vacant 1.5 acres between Golden Bank, Lupe Tortilla's, and the dealership. Phase 2 includes a parking garage, new body shop, the addition of a service drive, prep shop, and a Sprinter van.

The Traffic Impact Analysis threshold worksheet indicates minimal impact to the surrounding area.

Site plans for Phase 1 and Phase 2 show the vehicle delivery route and elevations for the parking garage, and Phase 2 body shop. Elevations for the 4-story parking structure and the body shop adhere to Development Code and B-2 Zoning District regulations for building material finishes, circulation, and height restrictions. The site area includes restaurant, retail, banking, and other commercial uses.

Initial points for consideration include:

- Property is adjacent to B-2 zoned property and other commercial uses
- Body Shop is new use (not included in 2002 CUP)
  - Examine intensity/operation and any mitigation needed
  - Vehicles will be parked in body shop or parking garage
- Parking garage shields approximately half the vehicles from public view
- Development Code addresses parking garages in Chapter 2
- Conditional Use Permit will replace 2002 CUP and apply to entire property
  - Eight conditions of 2002 CUP will be applied to current CUP

**PUBLIC HEARING (CONTINUED)**

**CONDITIONAL USE PERMIT MERCEDES-BENZ OF SUGAR LAND DEALERSHIP  
(CONTINUED)**

All requirements for the public hearing have been met. One informational inquiry was received; there is no known opposition.

*Chairman Huebner* opened the Public Hearing and entertained comments from the public; hearing none, the Public Hearing was closed.

**DISCUSSION AND DIRECTION**

**CONDITIONAL USE PERMIT MERCEDES-BENZ OF SUGAR LAND DEALERSHIP**

*Chairman Huebner* introduced discussion and direction on the request for Conditional Use Permit on 7.33 acres and 1.5878 acres, U.S. Highway 59 and Town Center Boulevard, being further described as 15625 Southwest Freeway in the General Business (B-2) District to expand the Mercedes-Benz of Sugar Land Dealership.

For the record *Commissioner Shaw* stated he has no financial interest in any of the surrounding property, but does office directly across the street from the proposed CUP.

The Commission discussed existing safety issues on Town Center Boulevard that will worsen with increased traffic. Sight lines for the road curvature do not allow drivers going 35 miles per hour sufficient reaction time for trucks entering/exiting the delivery route. Trucks off-loading vehicles along Town Center Boulevard which is in violation of the existing CUP; some of the trucks are independent contractors that the dealership cannot control. Once the body shop is built, the number of independent operators delivering wrecked vehicles will increase. *Mr. Douglas Schomburg, Director of Planning and Environmental Services*, commented that off-loading vehicles in this area has been a code enforcement issue in the past and will continue to be a challenge.

*Mr. Kenneth Enders, Owner/President, Mercedes-Benz of Sugar Land*, explained that the delivery route is for trucks only; trucks from Mercedes-Benz are unloaded in the facility, but independent operators occasionally unload on the street. To resolve the issue, the applicant is proposing a gate for the delivery route. The gate will have a code that will only be made available to the Mercedes delivery trucks and the independent operators that service the facility. Deliveries will only be accepted from delivery trucks entering through the gate.

The dealership is out of parking space making the proposed parking facility necessary; delivery trucks are unable to safely maneuver the existing facility. One-hundred percent of the vehicles brought to the body shop will be stored in the body shop or the garage; no vehicles will be viewable from the road at any time. Mr. Enders commented that he is part-owner of four body shops in Houston; approximately 75-80% of vehicles enter the Mercedes-Benz Sugar Land facility before being sent to a body shop; increase in traffic will not be significant with an on premises body shop.

**DISCUSSION AND DIRECTION (CONTINUED)**

**CONDITIONAL USE PERMIT MERCEDES-BENZ OF SUGAR LAND DEALERSHIP  
(CONTINUED)**

Mr. Enders noted that the dealership maintains the landscaping that screens the facility and parking from Town Center Boulevard.

**Mr. Enders** stated, with regard sight line issues, that there is open space at the main entrance into the facility from State Highway 6; the curvature on Town Center Boulevard creates a natural blind spot and that he has no solution; trucks are larger however, and are more visible than a passenger car exiting the facility.

Concern was expressed that increased traffic during peak hours will prevent trucks from using the main entrance from State Highway 6 after 1:00 p.m. and cause a decrease in functionality. The applicant prefers that trucks use the main entrance, but they are not restricted to use it exclusively.

In response to when cars are delivered **Mr. Enders** responded that most cars are delivered before noon; breakdowns and accidents may impact delivery from smaller non-Mercedes deliveries.

In response to clarification relative to the Sprinter van addition **Mr. Enders** stated that the Sprinter van is a Mercedes-Benz van used by Fed-Ex and UPS. Mercedes Benz was awarded the franchise based on their ability to service the vehicles. The addition is a 3-stall service facility slightly larger than what is required for passenger cars.

**Mr. Enders** stated regarding noise suppression for the body shop the facility will be enclosed and air-conditioned and noise will not travel outside the building; the structure will be similar to the existing service department for mechanical repairs.

The Commission requested the applicant review the delivery route ingress and egress from a traffic and safety standpoint. If the proposed entrance and exit are reversed, delivery trucks will not have to cross a lane of oncoming traffic and will be exiting at a signalized intersection. The wait may be longer, but the traffic signal would allow time to cross or turn onto State Highway 6. Discussed ensued on whether there would be adequate room to accommodate the turning motion as trucks exit the delivery route. Options included increasing the entrance width or moving the exit so it is not directly across from the existing esplanade.

Clarification was requested for what triggers a Traffic Impact Analysis. **Mr. Richard Mancilla, Engineer II**, stated the current threshold is 100 trips generated during the peak hour or 1,000 trips a day; approximately 80 trips were generated during the peak hour. The Commission requested that the applicant provide a complete Traffic Impact Analysis to address sight line issues.

In response to a question regarding the number of vehicles in the body shop on a monthly basis; **Mr. Enders** stated approximately 30-45. Capacity in the parking garage will be sufficient to accommodate vehicles from the body shop, new inventory, and employee overflow.

**DISCUSSION AND DIRECTION (CONTINUED)**

**CONDITIONAL USE PERMIT MERCEDES-BENZ OF SUGAR LAND DEALERSHIP  
(CONTINUED)**

The body shop will have 18-20 bays; turn over for repairs is approximately 10 days; with 30-45 repairs each month, space to house the vehicles should be adequate in the body shop with overflow in the parking garage. The number of loaner cars available will be 145 from the dealership.

**Mr. Enders** stated that Phase 2 construction of the body shop does not need to happen immediately, but the parking garage needs to be built concurrently with completion of Phase 1 surface parking, the addition of the service drive, and Sprinter van addition.

In response to clarification of the CUP timeline, **Ms. Duet** stated that the permit needs to be pulled within the first year of the CUP approval; permits for all phases has to pulled within five years of approval.

Staff direction includes:

- Provide full Traffic Impact Analysis
- Address sight line issues with curvature on Town Center Boulevard
- Review delivery route ingress and egress locations from a traffic/safety standpoint
- Provide detailed color rendering of the body shop elevation
- Provide detailed landscaping plan and profile

**Mr. Schomburg** confirmed that the parking garage complies with all Development Code requirements and the building finish ordinance.

**PUBLIC HEARING**

**REZONE 9.78 ACRES THE CROSSING AT TELFAIR SECTION 4 PART 1 TO PLANNED  
DEVELOPMENT (PD) DISTRICT FINAL DEVELOPMENT PLAN**

**Chairman Huebner** convened the Public Hearing to receive and hear all persons desiring to be heard on rezoning 9.78 acres, The Crossing at Telfair Section 4 Part 1, located near State Highway 6 and University Boulevard to Planned Development (PD) District Final Development Plan for commercial use.

**Ms. Ruth Lohmer, Principal Planner**, stated City Council approved the General Development Plan by Ordinance No. 1796 on September 21, 2010; the property is adjacent to The Crossing at Telfair Section 3 (HEB). The approved Telfair General Plan shows the area as commercial; the property is a portion of the area originally described as Section 4.

The uses proposed in the Final Development Plan are similar to those in the General Development Plan and inclusive of retail, office, and services. Uses removed include hotels, mini-warehouse, day care, elementary school and auto repair. Uses that require conditions are dry cleaners, car leasing/rental, and residential care.

**PUBLIC HEARING (CONTINUED)**

**REZONE 9.78 ACRES THE CROSSING AT TELFAIR SECTION 4 PART 1 TO PLANNED DEVELOPMENT (PD) DISTRICT FINAL DEVELOPMENT PLAN (CONTINUED)**

The proposed development regulations are consistent with regulations in the General Development Plan, with some variations proposed. Consistent regulations include building regulations, street tree requirements, minimum open space, and prohibition on outdoor display of merchandise. Proposed variations from the General Development Plan include:

- Building setbacks
  - Driveway 5 - provide setbacks for property along Driveway 5 in Reserves A and C
  - Private Access Easement - change building setback from 25' to 32'
  - Provide clarity for "all other" reference
  - Levee - change building setback from 34' to 65' (Reserve C Building)
- Parking setbacks
  - Driveway 5 – reference 12' (Reserve A) and 10' (Reserve C)
  - Private Access Easement – change parking setback from 22' to 25' on south side and 6' on north side (Reserves A and B); 0' on the south side and 15' on the north side (Reserve C)
- Landscape buffers
  - Include additional tree requirements
  - Driveway 5 – add landscape buffers coming into the property
  - Access Easement No. 1 – add landscape buffers to secondary (rear) access easement
- Building height
  - Reduce from 8 stories/100' to 2 stories/25' (Reserves A and B) and 3 stories/35' (Reserve C)
- Access easement widths and function
  - Two 26' easements (Final Development Plan) vs. single 28' access easement (General Development Plan)
    - Access Easement No. 1 (rear) – provides primary access through site
  - Define cross sections for Driveway 5 and access easements
- Public sidewalks vs. private sidewalks
  - Pedestrian Plan – delineate public sidewalk ( along State Highway 6) and private sidewalks (along Bullhead Slough and private access easements)
  - Private walkway moved from pipeline easement to Driveway 5 (continuing between new reserve and HEB)
- Signage
  - Access Easement No. 1 / Adjacent Pedestrian Area – add sign regulations
    - Directional signage (kiosk)
    - A-frame sandwich signs
    - Signage on awnings
    - Decorative banners on street light poles

*Ms. Lohmer* stated that some of the proposed signage is permitted under the Development Code; some is not adequately addressed, and some is not permitted.



**PUBLIC HEARING (CONTINUED)**

**REZONE 9.78 ACRES THE CROSSING AT TELFAIR SECTION 4 PART 1 TO PLANNED DEVELOPMENT (PD) DISTRICT FINAL DEVELOPMENT PLAN (CONTINUED)**

Initial points for consideration include:

- Proposed Final Development Plan is generally consistent with the General Development Plan, with some proposed variations
- Additional provisions for proposed signage
- Conditions from General Development Plan need to be added to uses in Final Development Plan

All requirements for the public hearing have been met. Staff provided notification to Telfair Life and several interested residents that requested information on items happening in Telfair. No inquiries were received.

*Chairman Huebner* opened the Public Hearing and entertained comments from the public.

*Mr. Peter Jacob, Rubicon Realty Group*, addressed the Commission, stating the section will be the beginning of a pedestrian-oriented outdoor facility. Primary routing for the development will be through Access Easement No. 2, which will be showcased with wider sidewalks, pedestrian elements, and enhanced landscaping. The property has generated an increased interest in development; both pad sites are spoken for and the applicant has met with the architect to discuss development of Reserve C.

*Chairman Huebner* entertained further comments from the public; hearing none, the Public Hearing was closed.

**DISCUSSION AND DIRECTION**

**REZONE 9.78 ACRES THE CROSSING AT TELFAIR SECTION 4 PART 1 TO PLANNED DEVELOPMENT (PD) DISTRICT FINAL DEVELOPMENT PLAN (CONTINUED)**

*Chairman Huebner* introduced discussion and direction on rezoning 9.78 acres, The Crossing at Telfair Section 4 Part 1, located near State Highway 6 and University Boulevard to Planned Development (PD) District Final Development Plan for commercial use.

Discussion ensued on proposed signage not which is not addressed in the Development Code and the banner signs currently located on State Highway 6. *Ms. Lohmer* stated that these are City signs on City fixtures, and exempt from Development Code regulations; banner signs are not generally seen on private property. The Commission asked if allowing the signage as part of the Planned Development would establish a precedent; *Ms. Lohmer* responded that the signage is proposed only for Access Easement No. 1 which does not include the entire parking lot, the other access easement, or the driveway.

**DISCUSSION AND DIRECTION (CONTINUED)**

**REZONE 9.78 ACRES THE CROSSING AT TELFAIR SECTION 4 PART 1 TO PLANNED DEVELOPMENT (PD) DISTRICT FINAL DEVELOPMENT PLAN (CONTINUED)**

Given the circumstance, the Commission could make the argument that the request is for a pedestrian-friendly development, not just hanging flags from poles in a standard large parking lot. **Mr. Jacob** added that the intent was to create an atmosphere along the main access component. **Ms. Kyle Thomas, City Attorney**, stated that a precedent might not be set if specific and unique circumstances exist for the property that is not found in other PD's. The Commission requested that staff work with the applicant to establish boundaries for Access Easement No. 1 to define without establishing a precedent.

The Commission expressed concern that the City sign ordinance is not being followed, suggesting that the ordinance be amended, rather than the Commission having to make exceptions.

Staff was asked if the Code allowed the other signs requested, A-frame sandwich signs, kiosk, and awning. **Ms. Lohmer** stated that the Code is written to address signs that are visible from a public street; State Highway 6 is the public street, so the A-frame sandwich signs and kiosk directional signage would be allowed under the Code; the applicant included additional sign regulations to set parameters for sign size and number. Awning signs are allowed and default to City Code; banners on street light poles are outside the Code. Banners in the PD are holiday/seasonal decoration, not advertising; the intent is to carry the theme all the way through Access Easement No. 1 into the other PD's. **Ms. Lohmer** stated that staff could provide the Commission a summary of what has been done in the past regarding signage and Planned Developments.

**Ms. Thomas** asked if there is a difference between an advertising banner, which is usually regulated, and a decorative banner. **Ms. Lohmer** stated the Code states you cannot have banners on poles; it does not differentiate between advertising and decoration. **Chairman Huebner** asked to see exactly what is proposed on the signs, stating the Commission would want to limit it to decorative/seasonal banners. **Ms. Thomas** stated that regulating content could be a potential constitutional issue; it may be possible to categorize the banners as decoration, as opposed to signage. If the Commission allows the signage, there may not be a way to restrict the content; **Ms. Thomas** stated the issue will be further researched.

The Commission discussed the proposed. **Ms. Lohmer** stated that the proposal for the A-frame sandwich signs does not include a maximum number of signs, but the Commission has the ability to limit the number. The maximum size is 4' tall by 2' wide, 8 square feet per face. These signs will only be located in the 10-foot wide sidewalk area in front of the Reserve C Building.

It was noted that no access is shown to the drive opening near the HEB loading docks. **Ms. Lohmer** confirmed the curb cut stating it would need to be shut-off or the developer will have to tie in to it. The Commission's understanding when HEB was approved was the developer would connect a service road across the back, giving access to University. **Mr. Jacobs** stated he would review the HEB agreement and provide his findings to staff.

**DISCUSSION AND DIRECTION (CONTINUED)**

**REZONE 9.78 ACRES THE CROSSING AT TELFAIR SECTION 4 PART 1 TO PLANNED DEVELOPMENT (PD) DISTRICT FINAL DEVELOPMENT PLAN (CONTINUED)**

Discussion ensued on whether there would be landscape screening between the street and parking shown in the cross-section for Access Easement 2. **Ms. Lohmer** responded the Development Code requires 25% screening of the linear area; screening would be all the way across for public streets; this is however, a private access easement. **Mr. Jacob** stated he could add a hedge row to improve the streetscape. Staff was asked to verify that the trees for all three items on the agenda specified 4" caliper and 10' height.

It was noted that the proposed Building Regulations/Building Finishes state that secondary finishes include Exterior Insulation and Finish Systems (EIFS). The Commission asked whether EIFS is an appropriate material for a superior development. **Ms. Lohmer** responded that EIFS is a permitted finish in the standard districts; during discussion of the Final Development Plan for Section 2, the applicant indicated the desire to include EIFS as it was originally approved in the General Development Plan.

**Ms. Lohmer** reviewed the Commission's direction to staff:

- Signage
  - Establish boundaries for Access Easement No. 1
  - Banner signs
    - Identify what is actually proposed
    - Limit to decorative/seasonal
  - What has been approved in other PD's (summary)
- Connection to service drive at rear of HEB property
- Provision for 100% parking screening

**PUBLIC HEARING**

**REZONE 16.42 ACRES TELFAIR TO PLANNED DEVELOPMENT (PD) DISTRICT FINAL DEVELOPMENT PLAN**

**Chairman Huebner** convened the Public Hearing to receive and hear all persons desiring to be heard on rezoning 16.42 acres in Telfair near U.S. Highway 59 and University Boulevard to Planned Development (PD) District Final Development Plan for commercial use.

**Ms. Ruth Lohmer, Principal Planner**, stated the area consisting of 16.42 acres is the Final Development Plan for what will be the Costco Wholesale Warehouse. City Council approved Ordinance 1826 on September 20, 2011 approving the General Development Plan for Telfair Center Lakefront District. The property is located off of Westcott Avenue, adjacent to U.S. 59 and the future connector road near the University Boulevard intersection. The Telfair General Plan shows the property as mixed use.

**PUBLIC HEARING (CONTINUED)**

**REZONE 16.42 ACRES TELFAIR TO PLANNED DEVELOPMENT (PD) DISTRICT FINAL DEVELOPMENT PLAN (CONTINUED)**

The property is located in Tract D, consisting of 36 acres, of the General Site Plan approved with the General Development Plan; leaving approximately 20 acres remaining in the tract for development. The Final Development Plan Site Plan shows a gas sales area, primary building, building entry, receiving docks in the back, and walkways connecting the public street sidewalks to the building entrance.

Uses proposed in the Final Development Plan are similar to those in the General Development Plan inclusive of retail, office, and services. Removed uses include child day care and residential care services. Uses requiring conditions are convenience store with gas sales, auto repair, and dry cleaners. Gas sales are included as a proposed use as shown in the General Development Plan.

Proposed development regulations are consistent with regulations in the General Development Plan, with some variations proposed. Consistent regulations include building and parking lot setbacks, street tree requirements, and the minimum open space.

Some proposed variations are more restrictive than the General Development Plan:

- Building Height
  - Decreased from 150' to 40'
- Outside Use
  - Prohibited in Final Development Plan (permitted in General Development Plan)
- Freestanding/Monument Signs
  - Prohibited on site
  - Increase maximum wall signage
    - Development Code maximum is 15% or 300 square feet (whichever is greater)
    - Plan exceeds maximum on the north and west sides
- Exclude bicycle parking next to entrance
- Alter lighting for pedestrian walkways
  - Lighting provided by overhead parking lot lights, not pedestrian scaled lights
- Excluded pedestrian amenities required at intersection of walkway and public sidewalk

The applicant indicated that there are very few pedestrian or cyclist that come to the store because of the nature of the business is bulk items; most of the pedestrian/bicycle components from the General Development Plan were excluded from the Final Development Plan.

Proposed building elevations are primarily brick and stone, with some architecturally finished metals. The proposed fuel sales canopy elevations include brick columns, an architecturally finished fascia for the canopy, and brick on the associated kiosk.

**PUBLIC HEARING (CONTINUED)**

**REZONE 16.42 ACRES TELFAIR TO PLANNED DEVELOPMENT (PD) DISTRICT FINAL DEVELOPMENT PLAN (CONTINUED)**

Initial points for consideration include:

- Proposed Final Development Plan generally consistent with General Development Plan
  - Includes fuel sales as proposed in District D, General Development Plan
- Pedestrian and bike amenities not included in Final Development Plan
- Outside use and monument signs eliminated, needs to be specified in Plan
- Alternative provisions for signage
- Elevations for primary building and fuel sales canopy

All requirements for the public hearing have been met. Staff notified Telfair Life and interested residents that requested information on items happening in Telfair. No inquiries were received.

*Chairman Huebner* opened the Public Hearing and entertained comments from the public.

*Mr. Ted Johnson, Director of Development for Midwest Projects, Costco*, addressed the Commission, stating that Costco is the second largest retailer in the United States, the seventh largest retailer in the world, and the 28<sup>th</sup> largest retailer in Fortune 500; Fiscal Year 2011 sales were approximately \$90 billion dollars. The company employs 161,300 people worldwide and processes approximately 1.9 million transactions each day. There are 600 Costco Warehouses worldwide; the majority are housed in the United States, with other locations in Canada, the United Kingdom, Mexico, Japan, Taiwan, Korea, and Australia. There are 35.6 million households with Costco cards and approximately 65 million cardholders; the renewal rate in the United States and Canada is 89%.

High grossing sales for Fiscal Year 2011 included cameras (\$466 million); fine wine (\$631 million) / total wine (\$1.3 billion); meat (\$4.6 billion), chicken (\$291 million); and produce (\$3.9 billion). Thirty-five million prescriptions were filled in Fiscal Year 2011; 3.2 million pairs of glasses sold; and 100 million hot dog and soda combos sold.

Ninety percent of Costco U.S. employees are benefits eligible; 99% are enrolled in the program. Employees are highly compensated, with the average U.S. hourly wage being \$22.37; starting wage is \$11.50 per hour; cashiers make approximately \$50,000.00 after five years' service. Costco has 10% annual employee turnover; 5.6% after 1 year.

*Chairman Huebner* entertained further comments from the public; hearing none, the Public Hearing was closed.

**DISCUSSION AND DIRECTION**

**REZONE 16.42 ACRES TELFAIR TO PLANNED DEVELOPMENT (PD) DISTRICT FINAL DEVELOPMENT PLAN**

*Chairman Huebner* introduced discussion and direction on rezoning 16.42 acres in Telfair near U.S. Highway 59 and University Boulevard to Planned Development (PD) District Final Development Plan for commercial use.

The Commission requested a to scale architectural rendering for the primary building and increased wall signage; concern was expressed that the City sign ordinance is not being followed. The Commission questioned how many monument signs were given up in lieu of increased wall signage. *Ms. Lohmer* responded the applicant is allowed 1 sign for every 250' of frontage along U.S. 59; 950' of frontage, would allow 3-4 signs.

The collector street has 765' of frontage; 1 sign for every 125' of frontage would allow 6 signs; and six signs would be allowed along Westcott Avenue. The Commission requested that the following information be provided with the next presentation:

- Square footage given up versus square footage proposed
- How much square footage would be allowed under the current sign ordinance
- Can the two signs that are out of compliance be modified to meet the 300 square foot requirement

Clarification was requested for the statement that “minimum widths for landscape buffers continuous along U.S. Highway 59 are 50 feet, with the exception of the southeast portion of the 16.42 acre parcel which may be reduced to 25 feet”, Development Plan, “Landscape and Pedestrian Circulation Regulations. *Ms. Lohmer* stated that there is a small area on the Site Plan that notches out at the property line. That area is not owned by Costco; the area is Texas Department of Transportation (TxDOT) right-of-way and is probably green space. Staff suggested clarifying the language “as identified on the Site Plan.”

Clarification was requested on the fuel facility elevations where the kiosk is located. Staff stated the kiosk is not shown in the exhibit. On the Site Plan the kiosk is located on the side of the canopy and is a controller enclosure; safety sensors, monitors, security cameras, and pump emergency shut-offs are housed in the enclosure. No cash transaction is made at the pump; the site is a self-serve fuel facility. In bad weather, the Costco employee who is stationed at the gas area will stand inside the kiosk; the employee will provide customer assistance if there are problems activating the pumps.

In response to whether the PD zoning is with the building or property; Staff clarified that the zoning is with the property. The Commission expressed concern that removing the pedestrian and bicycle amenities would be an issue in that the PD restrictions eliminate the possibility of using them in the future.

**DISCUSSION AND DIRECTION (CONTINUED)**

**REZONE 16.42 ACRES TELFAIR TO PLANNED DEVELOPMENT (PD) FINAL DEVELOPMENT PLAN (CONTINUED)**

The Commission voiced concern that the development will be the major entrance to Telfair and requested clarification on the schematics regarding where the traffic would be generated relative to the auto servicing side. Staff stated that the location for the auto servicing was shown on earlier drawings; clarification will be added to the Site Plan that identifies where the pull-up doors of the auto servicing area will be located.

It was noted that Wescott is a major roadway entry into the higher-end Telfair development; the Commission requested to see what the screening will be relative to all of the elements.

Staff stated the General Development Plan established specific requirements for auto repair that carried over to the Final Development Plan and identified on Exhibit B-2 "Permitted Uses," "Repair bays shall be oriented perpendicular to the public street or access easement in Districts A through C; in District D, repair bays may be oriented in any direction, provided they are located a minimum of 50 feet from the adjacent public right-of-way and are screened from offsite views." **Ms. Lohmer** confirmed that screening is required for the auto repair area and stating that the Commission may identify additional specific screening.

**Ms. Lohmer** stated that there are no sidewalks or pedestrian ways along U.S. 59; the issue was discussed during the General Development Plan; at that time it was determined that a pedestrian access easement would be provided to allow the City to do a shared-use path in the future. Sidewalks have not been required along U.S. 59 in other parts of the City; concern was expressed relative to requiring the developer to provide sidewalks. The Commission discussed the need for a connection with the sidewalk on the Ditch H Bridge, stating the issue should be addressed in the PD. **Ms. Lohmer** stated that she would review the discussion held during the General Development Plan; what is being shown is consistent with what was determined, the developer is required to provide the access easement, but not the walkway at this time. **Mr. Schomburg** stated that this component was not required in the first-step PD for the whole development; staff cannot make a recommendation beyond the parameters that were set, such as the easement.

The Commission requested that the applicant provide pictures of anything that has been built; showing the orientation of the building on the site plan; and to provide details for the proposed landscaping. Staff agreed to work with the applicant to provide more detailed information.

**Mr. Allen Bauer, Newland Communities**, stated the PD provides for 4" caliper oaks at 30-foot intervals along all public rights-of-way, Westcott Avenue and the connector road to the U.S. 59; the tree-planting program was a part of the General Development Plan.

**DISCUSSION AND DIRECTION (CONTINUED)**

**REZONE 16.42 ACRES TELFAIR TO PLANNED DEVELOPMENT (PD) FINAL DEVELOPMENT PLAN (CONTINUED)**

*Ms. Lohmer* summarized Commission Direction to Staff:

- Signage
  - Appearance of proposed signage
  - Provide larger elevations
  - View proposal in comparison to what might be permitted
  - Square footage given up by removing monument signs
- Clarification language related to the notch-out for the landscape buffer

*Ms. Lohmer* asked Commission whether the pedestrian / bicycle amenities were to be added back to the Final Development Plan. Clarification was requested regarding which amenities would be eliminated under the current proposal. *Ms. Lohmer* stated pedestrian walkways will be in place, and the developer will have to connect the building entrance to the public sidewalk using pavers or something different to signify the pedestrian walkway. Bike racks at the front of the building, pedestrian-scaled light fixtures; the trash cans, and benches at the pedestrian walkway / public street crossings are not required. There is no common area shown on the site. Commissioners were polled to determine whether the amenities should be added back to the Final Development Plan. Commissioners agreed that the amenities for the public right-of-way should be included in the PD; the bicycle racks at the front of the building will not be added back.

*Ms. Lohmer* continued summarization:

- Screening for the auto service area
- Pictures of similar buildings, other places
- Adding amenities to the public rights-of-way
- Connectivity with the site and adjacent sites

Staff stated that trash collection is not identified on the plan stating it is included on one of the more detailed plans. *Mr. Johnson* stated that trash collection will be through a closed compactor; all of the refuse is put into the compactor from inside the store. Depending on volume, the service vendor used will take away the entire compactor and replace it with an empty one every week-and-a-half to two weeks. There are two compactors, one for cardboard recycling and one for the tire center. There is an area within the building where used tires are stored; depending on volume, a local recycler will take away the used tires every week to two weeks. Perishable items are separated; grease is in a tank inside the warehouse and recycled with a local company. Refuse that could cause an odor problem is contained. Detailed plans will be brought forward to the Commission for review, including a landscape plan.



<b>REPORTS</b>
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<b>PLANNING AND ZONING COMMISSION LIAISON REPORTS</b>
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*Commissioner Himesh Gandhi*, Planning and Zoning Commission Liaison, reported on the April 17, 2012 City Council meeting stating that Imperial Planned Development passed 6-0; Council Member Chaumette was absent.

<b>CITY STAFF REPORT</b>
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*Mr. Douglas Schomburg, Director of Planning and Environmental Services*, reported that the May 8, 2012 meeting would have a Public Hearing for a Conditional Use Permit for an Assisted Living Facility off Brooks Street north of the Lutheran Church, which Planned Community Developers is proposing. Following meeting adjournment tickets and information will be provided for the Commissions night at Constellation Field.

<b>ADJOURN</b>
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There, being no further business to come before the Commission, *Commissioner Zimmerman*, seconded by *Commissioner Stansell* moved that the meeting adjourn. The motion carried unanimously and the meeting adjourned, time at 8:59 o'clock P.M.

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Kathy Huebner, Chairman

(SEAL)